

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JANE DOE, *by and through her parents and
next friends*, JOHN DOE and JILL DOE,

Plaintiff,

v.

ELKHORN AREA SCHOOL DISTRICT,
JASON TADLOCK, and RYAN
MCBURNIEY,

Defendants.

Case No. 24-CV-354-JPS

**PRELIMINARY
INJUNCTION**

Upon consideration of Plaintiff Jane Doe, by and through her parents and next friends, John Doe and Jill Doe's ("Plaintiff") motion for a preliminary injunction, ECF No. 15; the Court's order granting the motion issued contemporaneously herewith, ECF No. 49; and the record as a whole, the Court finds as follows:

1. The Court has original jurisdiction over the claims in this matter arising under federal law pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3);

2. Plaintiff has established a likelihood of prevailing on the merits on her claims under Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. and the Equal Protection Clause of the Fourteenth Amendment;

3. Plaintiff will suffer irreparable harm in the absence of preliminary injunctive relief;

4. Plaintiff has no adequate remedy at law;

5. Greater injury will be inflicted upon Plaintiff by the denial of preliminary injunctive relief than will be inflicted upon Defendants Elkhorn Area School District, Jason Tadlock, and Ryan McBurney by the granting of such relief; and

6. The issuance of preliminary injunctive relief will not disserve the public interest.

Accordingly,

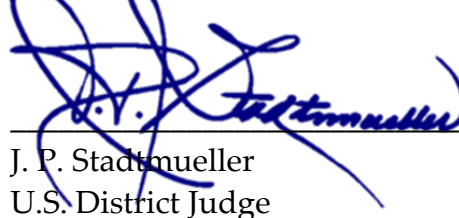
IT IS ORDERED that Defendant Elkhorn Area School District (the “EASD”) and its officers, administrators, employees, and agents, are hereby **RESTRAINED** and **ENJOINED** from enforcing any policy, practice, protocol, or custom of the EASD or Elkhorn Area Middle School (“EAMS”) that denies Plaintiff Jane Doe the ability to access and use girls’ restrooms at EAMS or any other EASD school that she may attend in the future, or otherwise denying or restricting her access to girls’ or women’s restrooms at school or on school trips;

IT IS FURTHER ORDERED that this injunction will take effect immediately and remain in place for the pendency of this litigation; and

IT IS FURTHER ORDERED that the Court waives the security bond requirement under Federal Rule of Civil Procedure 65(c).

Dated at Milwaukee, Wisconsin, this 1st day of August, 2024.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge